



# Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811

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[www.berlinmd.gov](http://www.berlinmd.gov)



## Mayor

Wm. Gee Williams, III

## Vice President

Elroy Brittingham, Sr.

## Council Members

Dean Burrell, Sr.

Lisa Hall

Paula Lynch

Troy Purnell

## BERLIN, MARYLAND

## MAYOR AND COUNCIL MEETING

## Town Attorney

David Gaskill

**MONDAY, APRIL 25, 2011**

## Town Administrator

Anthony J. Carson, Jr.

**COUNCIL CHAMBERS – BERLIN TOWN HALL  
10 WILLIAM STREET  
BERLIN, MD 21811**

EXECUTIVE SESSION .....6:00 PM

REGULAR SESSION .....7:00 PM

*Anyone having questions about the meetings mentioned above or needing special accommodations should contact Tony Carson, Town Administrator at (410) 641-4144*

*TTY users dial 7-1-1 in the State of Maryland*

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**BERLIN MAYOR AND COUNCIL  
COUNCIL MEETING  
AGENDA  
Monday, April 25, 2011**

**6:00 PM      EXECUTIVE SESSION - Berlin Conference Room**

**7:00 PM      REGULAR SESSION – Berlin Town Hall Council Chambers**

1.      Approval of the Minutes for:  
         Regular Session of the Mayor and Council on April 11, 2011  
         Executive Session of the Mayor and Council on April 18, 2011
2.      Kate Patton – Development of Master Plan for Walkable/Bikeable Berlin  
         Request for Resolution of Support
3.      Michael Day – Presentation of Community Video Opportunity
4.      Approval of URS Contract – Inspection and Contract Management of Force Main
5.      Approval of URS Contract – Bidding Services on Lagoon Liner at New Spray Site
6.      Award Phase I Contract – Teal Construction
7.      Motion to Approve – Roof Repairs on Multipurpose Building on 128 Flower Street.
8.      Approval of Burn Permit – Faith Baptist Church, 519 S. Main Street
9.      Authorization for Mayor to Sign Betts & Holt Contract
10.     Departmental Reports
  - a. Finance
  - b. Public Works
  - c. Water Resources
  - d. Electric
  - e. Police
  - f. Planning and Zoning
  - g. Human Resources
  - h. Economic and Community Development
10.     Town Administrator's Report
11.     Comments from the Mayor
12.     Comments from the Council
13.     Comments from the Public
14.     Comments from the Press
15.     Adjournment

MAYOR AND COUNCIL OF BERLIN, MARYLAND  
Regular Session Council Minutes  
Monday, April 11, 2011

The meeting of the Mayor and Council for Monday, April 11, 2011 was called to order by Mayor Williams at approximately 7:05 p.m. Council Members Lynch, Purnell, Hall, Brittingham were present, as well as Town Administrator Tony Carson, Water Resources Director Jane Kreiter, Electric Utility Director Tim Lawrence, Police Chief Arnold Downing, Planning and Zoning Director Chuck Ward, Administrative Assistant Sharon Timmons, Deputy Town Administrator Mary Bohlen, Human Resources Director Jeff Fleetwood, Economic and Community Development Director Michael Day, Finance Director Lynn Musgrave, Public Works Director Mike Gibbons and Town Attorney David Gaskill. Councilmember Burrell was absent.

Following the recitation of the Lord's Prayer and the Pledge of Allegiance, Mayor Williams asked for approval of the Executive Session Minutes of March 28, 2011. Councilmember Lynch made a motion to approve the minutes and council voted unanimously to approve 4-0 with 1 absent. Mayor Williams stated that the closure was due to the negotiation of a contract. Mayor Williams asked for a motion to approve of the Executive Session Minutes of March 29, 2011. Councilmember Lynch made a motion to approve and council voted to approve 4-0 with 1 absent. Mayor Williams stated that the Executive Session was closed to conduct the internet bidding auction of the new power supply contract. Mayor Williams asked for a motion to approve the Regular Session minutes of March 28, 2011. Councilmember Lynch asked to have the statement "that she inquired if the Town were able to pay additional monies towards the interest of the loan" and that Town Attorney Gaskill emailed her the next day and stated yes. Councilmember Brittingham made a motion to approve the minutes with the correction and council voted unanimously to approve 4-0 with 1 absent.

Mayor Williams asked Jen Robinson and Anita Todd from Coastal Hospice to come forward. He announced and read Proclamation 2011-08, a proclamation recognizing April 16, 2011 as Healthcare Decisions Day. Mayor Williams read the proclamation which related to the use of advance directives. Ms. Todd stated that an informational meeting would be held at the Berlin Nursing Home on May 10<sup>th</sup>. Councilmember Hall made a motion to endorse Proclamation 2011-08 and council voted in favor 4-0 with 1 absent.

Diakonia's Executive Director Claudia Nagle and Board member Joel Todd came before the council to make a presentation to the Town. Ms. Nagle showed a video and spoke of how Diakonia assists in teaching and reinforcing life skills to help end homelessness. Ms. Nagle presented handouts showing the demographics of assistance by area and food pantry use by area. She spoke about transitional housing, the food pantry and the various skills and classes offered. Mr. Todd spoke to the council about the financial difficulties Diakonia was experiencing and asked the council to consider a donation of \$7500 while in the FY12 budget process. Ms. Nagle also hoped that the Town could think of them concerning future block grants regarding housing which is a great concern. Mayor Williams stated that the Town traditionally due to financial reasons was very selective on the non-profits that were supported. Discussion continued. Councilmember Lynch requested that a public budget be provided to the council. No action was taken by the council.

Mr. Stacy Esham of Small Miracles came before the council requesting a waiver on the permitting and inspection fees associated with a handicap ramp to be built for a resident of Berlin. He provided a copy of the 501C3 to the council. Mr. Esham stated that their organization is comprised of volunteers and donations and performs work for elderly and/or handicapped residents in Worcester County who not able

to afford or perform the work themselves to improve their homes by focusing on health and safety needs. Discussion followed regarding amendment of the section of the code relating to fees to include conditions for non-profit organizations. Mayor Williams requested that the Small Miracles Board of Directors make similar requests to other communities. Consensus of the council was for Town Attorney Gaskill and Planning & Zoning Director Chuck Ward to draft language including a dollar figure for council to review and vote on at the next meeting. Councilmember Lynch requested a list of the Board of Directors. Councilmember Purnell made a motion to waive the permitting fees of \$65 for the pending handicap ramp job and for Mr. Gaskill and Mr. Ward to prepare language regarding any future waiver requests. Council voted in favor 4-0 with 1 absent.

Economic and Community Development Director Michael Day came before the council requesting approval for the new event known as May Day Play Day. This event will be a music festival featuring 4 bands and contests on May 13<sup>th</sup> from 5pm to 9pm. He was asking for streets closures from Pitts Street to Jefferson and Gay Streets. Councilmember Hall made a motion to approve the May Day Play Day events and council voted in favor 4-0 with 1 absent.

Mr. Nick Johnson came before the council requesting approval for the event known as Youth Day in the Park to be held at Henry Park on May 28<sup>th</sup> & 29<sup>th</sup>. A basketball tournament, cookout, music and moon bounce will be featured at the event. Proceeds of this event will go to the Isaiah Fassett Center. Councilmember Brittingham requested that the residents in the area had complained in the past regarding the playing of music. Chief Downing requested that the closing time be changed from 7:00 p.m. to 6:00 p.m. Councilmember Brittingham inquired about the parking issues and requested that permission be granted from the Multipurpose Building and American Legion if parking would take place on their properties and also stated that there had been complaints about the officials for the tournament not being paid. Councilmember Purnell stated that he had agreed to allow parking on his lot across from the park. Discussion followed. Councilmember Brittingham made a motion to approve the event for Saturday from 10 a.m. to 6 p.m. and for Sunday from 1 p.m. to 6 p.m. but with no music to be played on Sunday. Council voted to approve 4-0 with 1 absent.

Mr. Sonny Adkins came before the council requesting approval for the Memorial Day event to be held at the Veteran's monument on Main Street on May 29<sup>th</sup> at 8:00 a.m. Mr. Adkins read the list of events to take place. Councilmember Brittingham made a motion to approve the event and council voted to approve 4-0 with 1 absent.

Ms. Lisa Long came before the council requesting approval for the Expect a Miracle 5K Run to be held on October 22<sup>nd</sup> and the Reindeer Run to be held on December 17<sup>th</sup>. Chief Downing made a request that Ms. Long contact him 7 days in advance regarding the route. Councilmember Hall made a request to approve both events and council voted to approve 4-0 with 1 absent.

Town Administrator Tony Carson spoke to the council requesting the request from Mr. Tony Wiles for 2 additional EDU's at the 104 Pitts Street location. Mr. Carson stated that Mr. Wiles had paid the 10% deposit and will pay the balance when the building permits are issued. Councilmember Brittingham made a motion to approve the allocation of 2 additional EDU's and council voted to approve 4-0 with 1 absent.

Mayor Williams asked the council to consider the following recommendations for re-appointments to the Town's Boards and Commissions. Re-appointments to the Parks Commission were Bruce Hyder, Patricia Dufendach and Sarah Hooper. Re-appointments to the Board of Zoning Appeals were Sonny Adkins, Woody Bunting and Fred Pierdon. Re-appointments to the Board of Election Supervisors were Anthony Bowen, Lou Creter and Barbara Derrickson. Councilmember Lynch made a motion to approve

the recommendations from the Mayor to the Boards and Commissions and council voted to approve 4-0 with 1 absent.

Finance Director Lynn Musgrave reviewed and discussed the Profit and Loss Statements and the Balance Sheets. She then began her departmental report by telling the council that the on-line bill pay for the utilities was in the testing phase and that the Budget Workshop for the Utility accounts would be on Monday, April 18<sup>th</sup>.

Departmental reports continued with Deputy Town Administrator Mary Bohlen reporting that the preparations for the April 16<sup>th</sup> Clean Up Day were being finalized.

Public Works Director Mike Gibbons reported that his department was finalizing their preparation in anticipation of Clean Up Day. Councilmember Hall requested that Mr. Gibbons examine a hole at Ann Drive and Broad Street.

Water Resources Director Jane Kreiter reported her department would be assisting on Clean Up Day by identifying and labeling storm drains throughout town. Councilmember Lynch inquired when the Treatment Plant would be completed and Ms. Kreiter replied August and explained the circumstances. Councilmember Brittingham inquired about the mailboxes at the end of Bottle Branch Road. He stated that he had received a call that one of the contractors had hit the mailboxes and did not know if they had been repaired.

Electric Utility Director Tim Lawrence reported that the relay testing at the Power Plant had been completed, the oil filter was being replaced on engine #5, quotes on the synchronization of engine #5 were being received and they would begin working with the Public Works department on the removal of the utility pole in the center of the yard.

Police Chief Arnold Downing reported that his department was working on the quarterly reports for submission for grants and that he would be attending training next week. He continued that his department was preparing for the Spring Celebration and the Little League Parade to be held next weekend and the Operation Drug Drop on April 30<sup>th</sup>.

Human Resources Director Jeff Fleetwood reported that he had attended several workshops last week, one being State Retirement and that one of the changes would be that the employees contribution would be increased 2%.

Economic and Community Development Director Michael Day reported that the Main Street businesses were doing well and spoke of the various meetings he would be attending.

Town Administrator Tony Carson informed council that Electric Utility Director Tim Lawrence had been working on the list of recommendations given by Booth & Associates last year and that the list was dwindling down. He continued in reporting that progress had been made on the police salaries and once completed he would present a recommendation to the Mayor on salaries and staffing for his review and any changes to be made prior to giving to council for their review. He then asked for approval of 10 purchase orders (201101488, 201101489, 201101538, 201101568, 201101584, 201101583, 201101588, 20110586, 201101154, 201101155). Councilmember Brittingham made a motion to approve all 10 purchase orders and council voted unanimously to approve 4-0 with 1 absent.

Mayor Williams spoke on State Highway's various paving improvements throughout town in late April to early June. He explained the various areas throughout town designated for sidewalk design by SHA

though no monies are available yet. Mayor Williams asked for comments from the council. Councilmember Hall stated that she would be attending a workshop at the MML Conference regarding rental housing and inspections. Councilmember Lynch asked for a schedule for residents regarding the transfer station on Flower Street. Councilmember Purnell requested that State Highway be asked to extend the sidewalks on Broad Street to the Esham property.

Mayor Williams asked for questions from the public and the press. There being none, Councilmember Lynch made a motion to adjourn and the meeting ended at 9:28 p.m.

Respectfully submitted,

Sharon Timmons  
Administrative Assistant

## **TOWN ADMINISTRATOR'S REPORT**

**4-25-11**

### **Purchase Orders**

PO# 201101648 in the amount of \$ 2,343.55 to Worcester County for tires and refuse taken from clean up of the new spray site area to the landfill.

PO# 201101706 in the amount of \$2,923.00 to Belson Outdoors for 4 picnic tables, 2 trash receptables and 2 grills for parks. To be reimbursed by Program Open Space grant.

PO# 201101704 in the amount of \$10,752.00 to Intercoastal Trading for soda ash.

PO# 20110728 in the amount of \$3,146.83 to United Rentals for rental of loader for month of May for clean up at new spray site.

PO# 201101725 in the amount of \$3,200.00 to Maryland Department of the Environment for sewer overflow violation fines.

PO# 201101736 in the amount of \$7,685.00 to B. Frank Joy for lining of main connection on Route 346.

PO# 201101739 in the amount of \$2,500.00 to A1 Service Experts for replacement of the existing 5 ton air handler with new 5 ton Ducane Air handler.

### **Updates**